

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 288

Introduced By: Louden, 49; Christensen, 44; Fischer, 43

Read first time: January 10, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to all-terrain vehicles; to amend section
2 60-6,356, Reissue Revised Statutes of Nebraska; to provide
3 for operation of all-terrain vehicles on highways as
4 prescribed; and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-6,356, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 60-6,356. (1) ~~Except as provided in subsections (2) through~~
4 ~~(5) of this section, an~~ An all-terrain vehicle shall not be
5 operated on any highway ~~of this state. The~~ controlled-access
6 highway, and the crossing of any controlled-access highway shall not
7 be permitted.

8 ~~(2) The crossing of a highway shall be permitted only if:~~

9 ~~(a) The crossing is made at an angle of approximately~~
10 ~~ninety degrees to the direction of the highway and at a place where no~~
11 ~~obstruction prevents a quick and safe crossing;~~

12 ~~(b) The vehicle is brought to a complete stop before~~
13 ~~crossing the shoulder or roadway of the highway;~~

14 ~~(c) The operator yields the right of way to all oncoming~~
15 ~~traffic that constitutes an immediate potential hazard;~~

16 ~~(d) In crossing a divided highway, the crossing is made~~
17 ~~only at an intersection of such highway with another highway; and~~

18 ~~(e) Both the headlight and taillight of the vehicle are on~~
19 ~~when the crossing is made.~~

20 ~~(3)~~ (2) An all-terrain vehicle may be operated on a
21 highway, other than a controlled-access highway, when such operation
22 occurs only between the hours of sunrise and sunset, ~~and such~~
23 ~~operation is incidental to the vehicle's use for agricultural~~
24 ~~purposes.~~ Any person operating an all-terrain vehicle on a
25 highway, other than a controlled-access highway, shall have a
26 valid Class O operator's license or a farm permit as provided in
27 section 60-4,126 and shall not operate such vehicle at a speed in

1 excess of thirty miles per hour. When ~~operated~~ operating an
2 all-terrain vehicle on a highway, other than a controlled-access
3 highway, the headlight and taillight of the vehicle shall be on and
4 the vehicle shall be equipped with a bicycle safety flag which
5 extends not less than five feet above ground attached to the rear of
6 such vehicle. The bicycle safety flag shall be triangular in shape
7 with an area of not less than thirty square inches and shall be
8 day-glow in color.

9 ~~(4)~~ (3) All-terrain vehicles may be operated without
10 complying with subsection (2) of this section on highways in parades
11 which have been authorized by the State of Nebraska or any
12 department, board, commission, or political subdivision of the state.

13 (4) The crossing of a highway, other than a
14 controlled-access highway, shall be permitted by an all-terrain
15 vehicle without complying with subsection (2) of this section only
16 if:

17 (a) The crossing is made at an angle of approximately
18 ninety degrees to the direction of the highway and at a place where no
19 obstruction prevents a quick and safe crossing;

20 (b) The vehicle is brought to a complete stop before
21 crossing the shoulder or roadway of the highway;

22 (c) The operator yields the right-of-way to all oncoming
23 traffic that constitutes an immediate potential hazard;

24 (d) In crossing a divided highway, the crossing is made
25 only at an intersection of such highway with another highway; and

26 (e) Both the headlight and taillight of the vehicle are on
27 when the crossing is made.

1 (5) All-terrain vehicles may be operated on highways,
2 other than controlled-access highways, outside the corporate limits
3 of any municipality by electric utility personnel within the course of
4 their employment in accordance with the operation requirements of
5 subsection ~~(3)~~ (2) of this section, except that the operation of
6 the vehicle pursuant to this subsection need not be ~~incidental to the~~
7 ~~use of the vehicle for agricultural purposes.~~ limited to the hours
8 between sunrise and sunset.

9 Sec. 2. Original section 60-6,356, Reissue Revised Statutes
10 of Nebraska, is repealed.